

ARTICLE III. BOARDS, COMMISSIONS, ETC.*

***Cross references:** Animal Control Board, § 3-46 et seq.; Cultural Arts Commission, § 4-16 et seq.; Board of Adjustments and Appeals, § 5-12(c); Human Rights Commission, § 11-36 et seq.; Recreation and Park Advisory Board, § 14-16 et seq.; Personnel Appeals Board, § 15-126; Retirement and Disability Board, § 15-186 et seq.; Financial disclosure by members of certain boards, § 16-61 et seq.; Commission on Landlord-Tenant Affairs, § 18-36 et seq.; Planning Commission, § 25-36 et seq.; Zoning Board of Appeals, § 25-51 et seq.; Historic District Commission, § 25-71 et seq.; Sign Review Board, § 25-458.

DIVISION 1. GENERALLY**Sec. 2-216. Scope.**

Unless otherwise provided elsewhere in this Code or by applicable resolution, regulation, or rule, the provisions of this article shall apply to all boards and commissions established by the Council by ordinance or resolution. This article does not apply to task forces established by the City.

Sec. 2-217. Interpretation.

- (a) The provisions of this article are in addition to and are to be read in conjunction with other provisions of this Code and applicable resolutions and State law relating to specific boards and commissions.
- (b) If there is any conflict between the general provisions of this article and any other specific provision of this Code or applicable resolution, regulation, or rule relating to a particular board or commission, the specific provision of the Code, resolution, regulation, or rule shall control.
- (c) Whenever a conflict between this article and State law exists, State law shall control.

Sec. 2-218. Members; appointment, residency, terms.

- (a) Boards and commissions shall consist of members that may include alternate members, appointed by the Mayor subject to confirmation by the Council.
- (b) Each member shall be a resident of the City or, where provided, have a place of business within the City.
- (c) Each member shall serve for the term set by law or resolution or until a successor takes office.

Sec. 2-219. Chairperson.

Each board and commission shall elect a chairperson and other officers deemed advisable from among its appointed members. The chairperson, shall serve for a term of one (1) year and is eligible for reelection.

Sec. 2-220. Removal.

(a) *For cause.* Members may, after a public hearing on written charges, be removed by the Council for cause based upon inefficiency, neglect of duty, or malfeasance in office. Upon the removal of any member, the Council shall file a written statement of reasons for such removal.

(b) *For excessive absences.*

(1) Any member or alternate member who is absent from twenty-five (25) percent or more of the scheduled meetings or hearings during any twelve (12) month period shall be deemed to have resigned from his or her position on the board or commission. Scheduled meetings or hearings for this purpose shall mean meetings or hearings for which at least seven (7) days' advance notice was given. Such resignation shall become effective thirty (30) days after notification is forwarded to the appointing authority, unless a waiver has been granted as hereinafter provided.

(2) It shall be the duty of the chairperson or other presiding officer of the board or commission to expeditiously notify the Council of any member who has so resigned and to include in such notification any known extenuating circumstances. Copies of the notification shall be sent to all members of the board or commission.

(3) It shall be within the discretion of the Council, following such notice, to waive such resignation for good cause such as illness, emergency situation, or other extenuating circumstances. The subject member or alternate member shall be informed in writing by the Council as to whether or not a waiver has been granted.

(4) If a waiver has not been granted, a successor shall be appointed to complete the unexpired term in the manner prescribed by this chapter or other applicable law or resolution.

Sec. 2-221. Vacancies.

Vacancies occurring other than through the expiration of terms shall be filled for the unexpired portion of the term by appointment of the Mayor, subject to confirmation by the Council.

Sec. 2-222. Compensation.

Members shall receive no compensation, although they may be reimbursed for actual expenses incurred in the performance of their duties in accordance with appropriations for the board or commission made by the Council.

Sec. 2-223. Rules and regulations.

[ATTACH C](#)

Boards and commissions may adopt reasonable rules and regulations for the conduct of their business. Such rules and regulations shall become effective upon adoption by the board or commission.

Sec. 2-224. Meetings; quorum.

Boards and commissions shall hold meetings when necessary to conduct business or at such intervals as may be mandated by law, resolution or rule. Meetings shall be held at the call of the chairperson. A majority of the members of the board or commission shall constitute a quorum for the transaction of business, and a majority vote of those present at any meeting, but not less than the number necessary for a quorum, shall be sufficient for any official action taken by the board or commission.

Secs. 2-225--2-235. Reserved.

DIVISION 2. RESERVED*

***Editor's note:** Ord. No. 2-92, adopted March 23, 1992, repealed Div. 2, §§ 2-236--2-238, which pertained to the alternative community service commission. See the Code Comparative Table.
